

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI**

IN RE: LISA SEWARD

CHAPTER 7

DEBTOR

CASE NO. 18-11395 JDW

MOTION TO AVOID LIEN

COME(S) NOW, Debtor(s), by and through his/her/their attorney of record, and moves the Court, pursuant to §522(f) of the United States Bankruptcy Code, to avoid the lien of the Creditor, **Fidelity National Loans, Inc., UCC File No. 20151719142A**, on the grounds that the security in household goods for said debt is a non-possessory, non-purchase money security agreement. That said security is exempt property.

WHEREFORE, PREMISES CONSIDERED, Debtor(s) move(s) this Honorable Court to order the avoidance of the above lien/judgment.

RESPECTFULLY SUBMITTED,

/s/Karen B. Schneller
KAREN B. SCHNELLER, MSB # 6558
ALLEN CHERN LAW, LLC
126 NORTH SPRING STREET
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(662) 252-3224/karen.schneller@gmail.com

CERTIFICATE OF SERVICE

I, Karen B. Schneller/Robert H. Lomenick, Attorney for Debtor, do hereby certify that I have this day mailed, via electronic delivery or postage prepaid, a true and correct copy of the above and foregoing Motion To Avoid Lien to:

Fidelity National Loans, Inc.
1172 Church Road W
Southaven, MS 38671

Jeffrey A. Levingston, Esq.
Chapter 7 Trustee
Post Office Box 1327
Cleveland, MS 38732

U. S. Trustee
501 East Court Street, Suite 6-430
Jackson, Mississippi 39201

This the 11th day of May, 2018

/s/Karen B. Schneller
KAREN B. SCHNELLER

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI**

IN RE: LISA SEWARD

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CASE NO. 18-11395 JDW

ORDER AVOIDING LIEN [DOC NO.]

THIS matter comes before the Court on the above referenced Debtor(s) Motion to Avoid Lien of **Fidelity National Loans, Inc.** (the Creditor) pursuant to 11 U.S.C. § 522(f) and Federal Rules of Bankruptcy Procedure 4003(d) and 9014 (the “Motion”)(Docket No.). The Debtor(s) has/have represented to the Court that all parties in interest were timely served with the Motion, no party has objected to the relief requested in the Motion by the deadline set by the Court. Based on the Debtor(s) representations, the Court finds and concludes as follows:

1. The Debtor(s) exempted certain household goods of type set for in 11 U.S.C. §522(f)(1)(B), as listed on Schedule C filed by the Debtor(s) in this bankruptcy case. specifically the items in **UCC Financing Statement File No. 20151719142A .**
2. The existence of the Creditor’s lien against the Debtor(s) property impairs exemptions to which the Debtor(s) would be entitled under Title 85, Chapter 3 of the Mississippi Code and 11 U.S. C. § 522(f) . Accordingly, it is hereby

ORDERED, ADJUDGED AND DECREED that

1. The Motion is **GRANTED**.
2. The nonpossessory, nonpurchase money lien held by the Creditor against the Debtor(s) exempt household goods as set for in 11. U.S.C. §522(f)(1)(B), specifically, **UCC Financing Statement File No. 20151719142A**, is/are **AVOIDED**, and the lien(s) is/are hereby extinguished as to that property and shall not survive bankruptcy, affix to, or remain enforceable against that property, unless this case is dismissed prior to entry of Debtor(s) discharge.
3. To the extent the Creditor's lien is avoided by this Order, Creditor shall be treated as general unsecured creditor in this case.

#END OF ORDER#

PREPARED BY:

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